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HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

WRIT PETITION No. 29638 OF 1995

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Between:

Kumari Gopisetti Siva Kumari

.....Petitioner

And

The District Collector,
Nellore District, Nellore
and two others

.....Respondents

:: ORDER ::

Counsel for the Petitioner : Sri D.V. Nagarjuna Babu

Counsel for the Respondents : Government Pleader for
Social Welfare

Dated: 05-07-2006

This petition is directed against notice dated 01-12-1995 issued by District Revenue Officer, Nellore requiring the petitioner to show cause against the proposed cancellation of Scheduled Tribe Certificate issued her favour.

After arguing the case for sometime, Sri D.V. Nagarjuna Babu, learned counsel for the petitioner made a request that in view of the provisions contained in the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificate, 1993, his client may be permitted to withdraw the writ petition with liberty to file reply to the show cause notice and raise all legally permissible objections.

Learned Government Pleader for the respondents says that he does not have any objection.

In view of the above, the writ petition is dismissed as withdrawn with liberty to the petitioner to file reply to the show cause notice and take all legally permissible objections against the proposed cancellation of Scheduled Tribe Certificate.

Since the matter has remained stayed by this Court for last more than ten years, I direct the petitioner to submit her reply within a period of 15 days from today along with the relevant documents. The competent authority shall consider the objections of the petitioner and pass appropriate order within next two months. It is expected that the concerned authority will pass a speaking order detailing the reasons for accepting or not accepting the explanation to be submitted by the petitioner.

As a sequel to dismissal of the writ petition, interim order dated 28-12-1995 passed in WPMP No.36558 of 1995 shall stand

automatically vacated and the miscellaneous petition shall stand dismissed.

G.S. SINGHVI, CJ

05-07-2006

ks/svs